

COMMUNITY DEVELOPMENT PLANNING DIVISION 301 W. CHESTNUT planning@rogersar.gov (479) 621-1186

DECEMBER 10, 2019

TO: PLANNING COMMISSION

DEVELOPMENT REVIEW COMMITTEE

RE: STAFF SUMMARY REPORT

LARGE-SCALE DEVELOPMENT - IGLESIA RENACER EN CRISTO (EXPANSION)

STAFF: ETHAN HUNTER, CITY PLANNER

KRIS PAXTON, DEVELOPMENT COMPLIANCE MANAGER

PROJECT INFORMATION:

Iglesia Renacer en Cristo (Expansion)
A 2,234-sf expansion of an existing church with 24 parking spaces
2609 NE Hudson Road
0.73 ± acres
N/A
Street trees
Overlay District landscape buffer
\$924.60 for detention

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Juan Yepez / Blew & Associates
PROJECT OWNER/DEVELOPER:	Juan Yepez
PROPERTY OWNER:	Juan Yepez
REQUEST:	Large-Scale Development Plan approval

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Employment Center
GROWTH DESIGNATION CHARACTER:	Single-use areas in proximity to major arterials and rail intended for industrial and commercial uses with substantial site activity. Physical separation and landscape screening necessary for compatibility with adjacent areas. Goals include responsibly organizing uses with like impacts and maintaining capacity for industry and service.
ZONING DISTRICT:	C-2 (Highway Commercial) & Overlay District
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

VICINITY MAP:



BACKGROUND:

- The developer proposes to build a 2,234-sf expansion to an existing church building on 0.73 ± acres with 24 new parking spaces.
- The site is not located within a PUD. Surrounding properties are zoned C-2, I-2, and R-DP.
- This project has gone through the technical review process and all required revisions have been made with the exception of requested waivers and/or variances.

FNGINEERING REVIEW:

- 1. <u>ACCESS MANAGEMENT:</u> The project meets Access Management standards. The applicant has agreed to provide an access easement to the properties to the north and the property to the south, and an adequate access easement along the south for a future joint access with the property to the south.
- 2. <u>STORMWATER MANAGEMENT:</u> The applicant proposes a <u>FEE-IN-LIEU</u> amount of \$924.60 for detention in conjunction with the Drainage Criteria Manual Chapter 6.
- 3. WATER QUALITY: Water quality requirements are not applicable to this site.
- 4. <u>FLOODPLAIN MANAGEMENT:</u> The project property is not located within a Special Flood Hazard Area. The project is located fully within Zone "X" unshaded per 05007C0280K effective 06/05/2012.

5. MASTER STREET PLAN IMPROVEMENTS:

- a) Street Pavement and Condition: The project is along Highway 62 and is maintained by the State.
- b) <u>Connectivity Standards:</u> The project is located along Highway 62 to the west and railroad property to the east. Connectivity is not feasible for east/west connectivity.
- c) Streetscape:
 - i. Right-of-Way:
 - 1) Highway 62 (NE Hudson Road) is determined to be a Major Arterial per the Master Street Plan and is along a 100' right-of-way per the plan as required by the MSP.
 - ii. Sidewalks & Sidepaths:
 - 1) The applicant proposes a 10' sidepath per the Master Street Plan.
- d) Trails: The Major Arterial requires a 10' sidepath, however, no designated trail right-of-way is required.
- e) Street Lights: The applicant proposes a street light along the frontage as required.
- f) <u>Street Trees:</u> The applicant requests a <u>WAIVER</u> of Sec. 14-256 from requiring street trees stating the hardship that "ArDOT does not allow trees to be planted within their right-of-way." The applicant also says they have an email from the District 9 Permit Officer confirming this.

6. RECOMMENDATIONS:

- a) **Approve FEE-IN-LIEU of Detention** in the amount of \$924.60. This amount is appropriate and allowable under the guidelines of the Drainage Criteria Manual.
- b) **Deny WAIVER of Sec. 14-256 from requiring street trees**. Staff spoke the ArDOT District Engineer who states that while trees are preferred not to be installed along the right-of-way, that the applicant may submit a permit request with ArDOT for individual consideration of the project. This is the typical requirement (ArDOT approval). **Staff recommends a condition** that if ArDOT denies the permit upon review, that the project be allowed to move forward without the street trees.

STAFF SIGNATURES:

Kris Paxton, Development Compliance Manager

City of Rogers Engineering Division

Lance Jobe, City Engineer

City of Rogers Engineering Division

PLANNING REVIEW:

- 1. LAND USE:
 - a) <u>Use Definition</u>: Per Sec. 14-695(b)(2)(s), "Religious Assembly" is defined as "facilities for religious worship, incidental religious education, and other religious facility-related supportive and social services."
 - b) Zoning Compliance: The proposed project is in compliance with C-2 zoning regulations.
 - c) <u>CGM Compliance</u>: The proposed project is not entirely aligned with the purpose, character, and goals of the Employment Center Growth Designation, but it is an expansion of an existing by-right use.
- 2. <u>DEVELOPMENT STANDARDS</u>: The proposed project conforms to all development standards required by Sec. 14-709 and Article III with the exception of any requested waivers and/or variances.
 - a) Building Disposition: All building setback and height requirements have been met.
 - b) Building Design: N/A
 - c) Parking & Loading: All vehicle and bicycle parking and service access requirements have been met.
 - d) Screening & Transitions: N/A
 - e) <u>Landscaping</u>: The applicant requests a <u>VARIANCE</u> from Sec. 14-285(3) for the requirement to provide a 25' front landscape buffer along Overlay District frontage. They cite the parking lot configuration as the reason why the full 25' area cannot be greenspace.
- 3. <u>REPORTS FROM OTHERS</u>: The proposed project has been reviewed by the City of Rogers Risk Reduction Division and Rogers Water Utilities (see Tab 2 for RWU conditional approval letter). All projects are made available for review by franchise utilities and Benton County 911 Administration.
- 4. <u>RECOMMENDATIONS</u>: The Planning Commission should always consider requests with regard to land use compatibility and the health, safety, and general welfare of the public in making their decision.
 - a) Consider <u>VARIANCE</u> from Sec. 14-285(3) for the requirement to provide a 25' front landscape buffer along Overlay District frontage. The applicant has attempted to provide the required landscaping (trees at 20' spacing) within the landscape buffer, but landscape buffer is not 25' deep. They have not indicated any site-specific hardships other than the need for the proposed parking spaces.
 - b) Approve Large-Scale Development.

STAFF SIGNATURES:

Ethan Hunter, City Planner City of Rogers Planning Division

TOTAL REQUESTED WAIVERS, VARIANCES, AND RECOMMENDATIONS:

- 1. A waiver to Sec. 14-256 for the requirement to provide street trees.
- 2. A variance to Sec. 14-285(3) for the requirement to provide a 25' front landscape buffer along Overlay District frontage.
- 3. A fee-in-lieu of detention in the amount of \$924.60.

SUGGESTED MOTIONS:

- 1. FOR APPROVE: "Move to approve the Large-Scale Development Plan for Iglesia Renacer en Cristo as presented."
- 2. <u>FOR APPROVE WITH CONDITIONS</u>: "Move to approve the Large-Scale Development Plan for Iglesia Renacer en Cristo subject to [conditions, contingencies, or actions on waivers/variances/recommendations]."
- 3. FOR DENY: "Move to deny the request as presented."
- 4. FOR TABLE: "Move to table the request [indefinite or date certain]."

DIRECTOR'S COMMENTS:

1. Agree with recommendations.

John McCurdy, Director

City of Rogers Community Development

TABS:

- 1. Large-Scale Development Plans
- 2. RWU conditional approval letter
- 3. Waiver and/or variance request letter
- 4. Maps/photos

W. Rolling Oaks Dr. SITE W. Stribling Dr. W. Stribling Dr. VICINITY MAP N.T.S.

Iglesia Renacer en Cristo Expansion 2609 NE Hudson Road Rogers, AR

General Notes:

- A minimum of forty eight (48) hours prior to any excavation or grading, Contractor shall contact the State One-Call system at 811to locate all underground utilities. The Contractor shall notify the Engineer of Record immediately in the event that underground utilities are not shown on plan and / or conflict with proposed civil
- The Engineer of record shall not be held responsible for survey inaccuracies, survey omissions, or for design errors or omissions resulting from an inaccurate survey.
- X Construction Contractor and his Subcontractors agree that in accordance with generally accepted construction practices and OSHA safety standards, Construction Contractor and his Subcontractors will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not limited to normal working hours, and construction Contractor and his Subcontractors further agree to defend, indemnify and hold Design Professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project, except liability arising from the sole negligence of design professional.
- X It is the responsibility of the Contractor to maintain all erosion and sediment control devices through all phases of construction. Erosion and sediment control devices may only be removed upon 80% stabilization of the site as defined by the State's Department of Environmental Quality's General Permit for Construction.
- X The Contractor is to be solely responsible for any damage to neighboring properties during construction of this project.
- This project was designed in accordance with currently accepted industry design standards. The Engineer of Record does not warrant any work completed on site unless direct inspection by the Engineer of Record & proper testing by a state certified qualified inspection lab occurs during all phases of construction.
- The Contractor shall review the construction documents prior to any construction, and notify the Engineer of Record immediately upon discovery of any discrepancies that may occur on the drawings. All work shall
- discontinue until such time that the Engineer of Record has resolved said discrepancy.

 X The Contractor shall be responsible for disposal of construction waste materials including but not limited to demolition materials, debris, contaminated soils / materials, etc. in a lawful manner, at state and federally accepted
- The Contractor is responsible for obtaining and constructing in accordance with the stricter of: these construction documents and any associated details & specifications; and all municipalities / governing agencies' standards and specifications for construction
- X This drawing set and associated site, grading, utility, etc. plans are representations of the construction design and shall not be scaled to determine dimensions.
- shall not be scaled to determine dimensions.
 Easement plat shall be provided prior to issuance of Certificate of Occupancy.
- Work within AHTD right-of-way shall be in accordance with the Arkansas State Highway and Transportation Department Standard Specifications for Highway Construction, latest edition, Standard Roadway drawings, latest revision, and any design standards and permit requirements supplied by the Department.
- revision, and any design standards and permit requirements supplied by A state contractor's license is required for projects exceeding \$20,000.

Survey Description

A PART OF THE FRACTIONAL SOUTHWEST QUARTER (FRL.SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID FRACTIONAL 40 ACRE TRACT; THENCE N87°23'46"W 57.93 FEET TO A POINT ON THE FORMER EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 62; THENCE \$36°07'04"W 486.01 FEET ALONG SAID RIGHT-OF-WAY TO A POINT; THENCE \$71°02'25"E 10.89 FEET TO AN EXISTING ARKANSAS HIGHWAY & TRANSPORTATION DEPARTMENT ALUMINUM MONUMENT FOR THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE PRESENT EAST RIGHT-OF-WAY LINE OF SAID HIGHWAY 62; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S70°47'11"E 257.43 FEET TO AN EXISTING IRON REBAR ON THE WEST RIGHT-OF-WAY LINE OF THE ARKANSAS & MISSOURI RAILROAD; THENCE \$19°22'49"W 69.97 FEET ALONG SAID RAILROAD RIGHT-OF-WAY LINE TO AN EXISTING IRON REBAR; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY LINE, N87°47′06"W 321.21 FEET TO THE PRESENT EAST RIGHT-OF-WAY LINE OF SAID HIGHWAY 62; THENCE N36°E09'52"E 171.32 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 0.73 ACRES, MORE OR LESS. THE ABOVE DESCRIBED 0.73 ACRE TRACT BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT OF RECORD.

Contact Information: OWNER: Juan Yepez 201 N. 1st Street 2609 NE Hudson Road Rogers, AR 72756 Rogers, AR 72756 (479) 502-4972 imoran.ozarch@gmail.com CABLE TV:

Cox Communications
ENGINEER:

Blew and Associates, PA
3825 North Shiloh Drive
Fayetteville, AR 72703
Phone: (479) 443-4506
Fax: (479) 582-1883
Email: engineers@blewinc.com

Cox Communications
4901 South 48th Street
Springdale, AR 72762
Phone: (479) 717-3765
Fax: (479) 872-0174
ELECTRIC:
Southwestern Electric Pow

ELECTRIC:
Southwestern Electric Power (AEP)
Engineering Department
415 W. Stribling Drive
Rogers, AR 72756
Phone: (479) 721-8573

GAS:
Black Hills Energy
219 N. 3rd Street
Rogers, AR 72756
Phone: (479) 636-1759
Fax: (479) 636-3467

TELEPHONE:
AT & T
1133 E. Harold Street
Fayetteville, AR 72703
Phone: (479) 442-3173
Fax: (479) 442-3117

ARKANSAS STATE PLUMBING INSPECTION PHONE: (501) 661-2000

U.S. ARMY CORPS OF ENGINEERS: Little Rock District CESWL-RO P.O. Box 867 Little Rock, AR 72203-0867 Phone: (501) 324-5295 Fax: (501) 324-6013

Flood Statement:

LAND SURVEYOR:

CITY OF ROGERS:

301 W. Chestnut

118 S. College Ave.

Alan Reid & Associates

Fayetteville, AR 72701 Phone: (479) 444-8784

Community Development

Rogers, Arkansas 72756

Phone: (479) 621-1186

Fax: (479) 631-0091

Rogers Water Utilities

Phone: (479) 621-1142

Fax: (479) 621-1146

WATER & SEWER:

601 S. 2nd Street

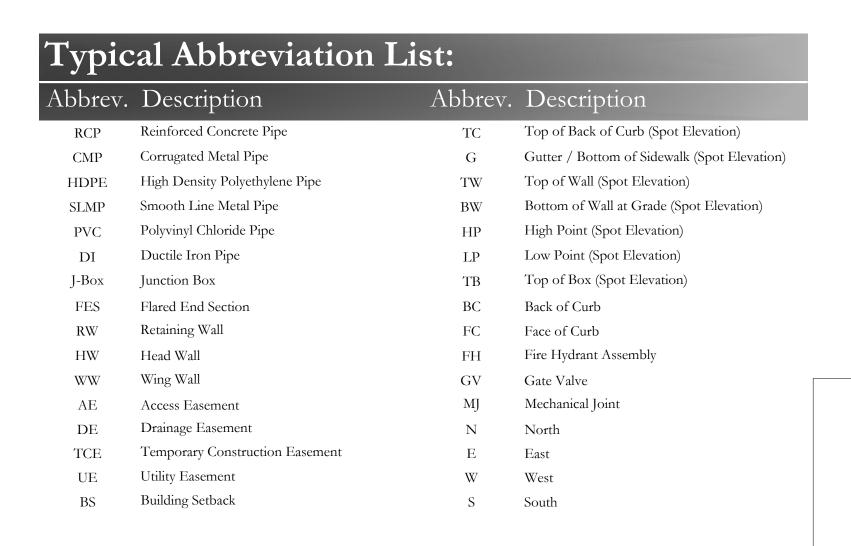
Rogers, AR 72756

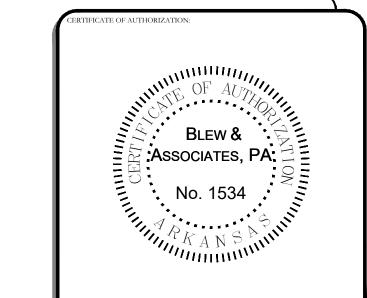
Email: arasurveying@sbcglobal.net

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0280K, WHICH BEARS AN EFFECTIVE DATE OF 6/5/2012. ZONE "X" (UNSHADED) AREAS HAVE BEEN DETERMINED TO BE OUTSIDE OF THE 1% AND 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY	INFORMATION	
Total Site Area:	31,830.3 sf	0.73 acres
Zoning:	C-2, Highy	way Commercial
Building Usage:	Rel	igious Assembly
ZONING :	REGULATIONS	
Front Setback (Overlay):		75 ft
Side Setback:		15 ft
Rear Setback:		15 ft
Building Height (150 ft max):		15 ft
Building Coverage (60% max):		13%
Open Space (20% min):		49%
OVERLAY DIST	RICT REGULATIONS	
Front Landscape Buffer:		25 ft
Side Landscape Buffer:		15 ft
Rear Landscape Buffer:		15 ft
SITE IN	FORMATION	
Total Paved Area:	11,604 sf	0.27 acres
Total Sidewalk Area:	555 sf	0.01 acres
Total Building Area:	4,131 sf	0.09 acres
Total Impervious Area:	16,289 sf	51%
Total Pervious Area:	15,541 sf	49%

Sheet №	Title	Date
	CIVIL PLANS	
C1	Cover Sheet	11/15/2019
C2	Site & Utility Plan	11/15/2019
C2-1	Landscape Plan	11/15/2019
C2-2	Water Line Plan & Profile	11/15/2019
C3	Demolition & Erosion Control Plan, Ph. I	11/15/2019
C3-1	Erosion Control Plan, Ph. II	11/15/2019
C3-2	Erosion Control Details	11/15/2019
C4	Grading & Drainage Plan	11/15/2019
C5	Details	11/15/2019
C5-1	City of Rogers & ARDOT Details	11/15/2019
	ROGERS WATER UTILITIES DETAILS	S
WD-1 - WD-2	RWU Water Details	01/2008
	SURVEY	
1	Survey (by Alan Reid & Associates)	10/25/2019





search of the available records To the best of our knowledguities except as shown on these drawings and we assume no ccuracy of their depicted location(s) on these drawings. The vake due precautionary measures to protect the utility lines not of record or not shown on these drawings by verification 1 prior to the initiation of the actual portion of the their work.

Document Ownership **

Ind the ideas and designs incorporated herein as professional services, is the property of Blew & and is not to be used, in whole or part, for

Cristo Expansion

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Large-Scale Development Plans for:

Iglesia Renacer en Cristo
2609 NE Hudson Roac

Juan Yepez
2609 NE Hudson Roac
Rogers, AR 72756

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CONSTRUCTION

CONSTRUCTI

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

3825 NORTH SHILOH DRIVE
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com

Certificate of Authorization № 1534

DRAWN BY:

J. Rennick

JOB NUMBER:

19-3097

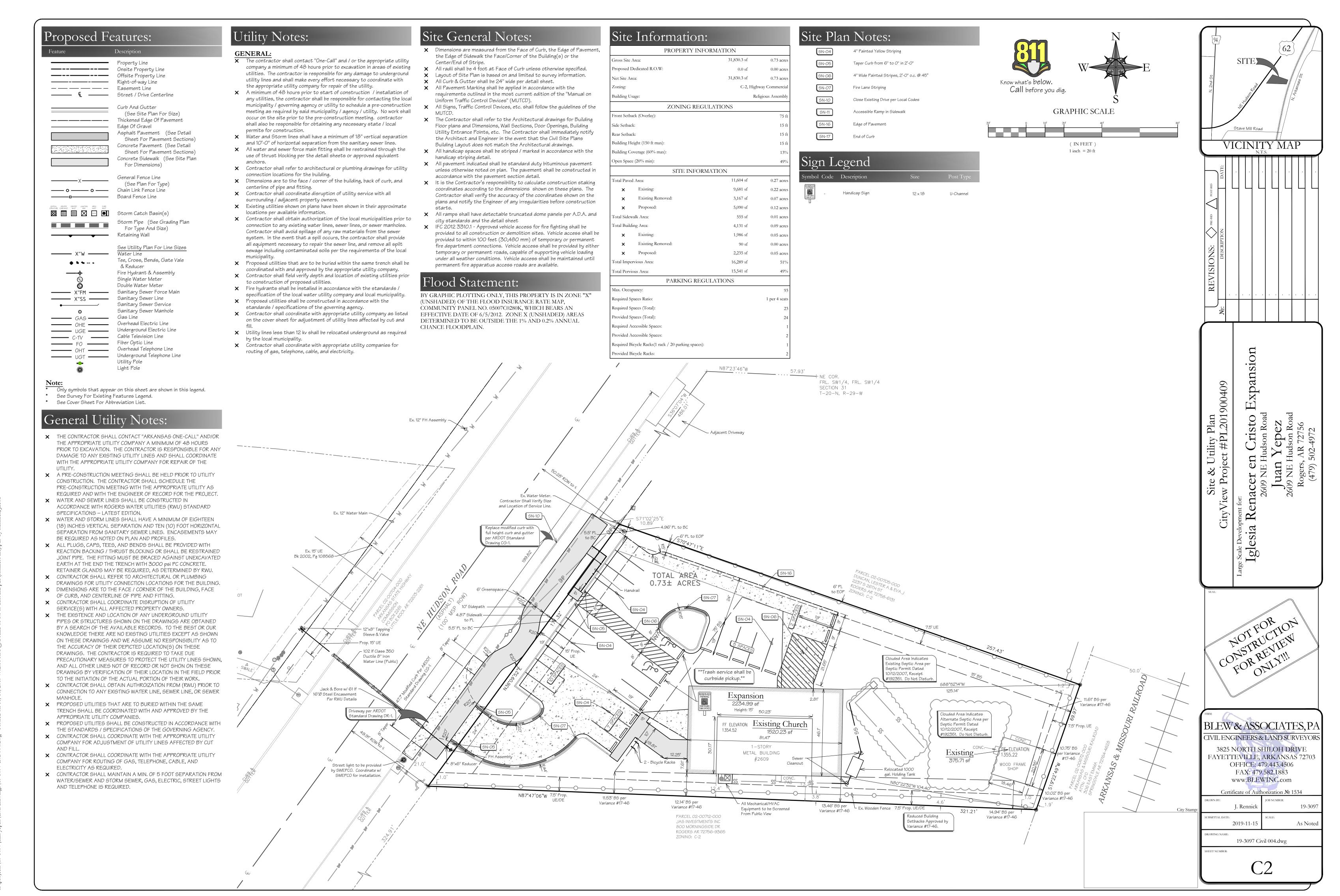
SUBMITTAL DATE:
2019-11-15

As Noted

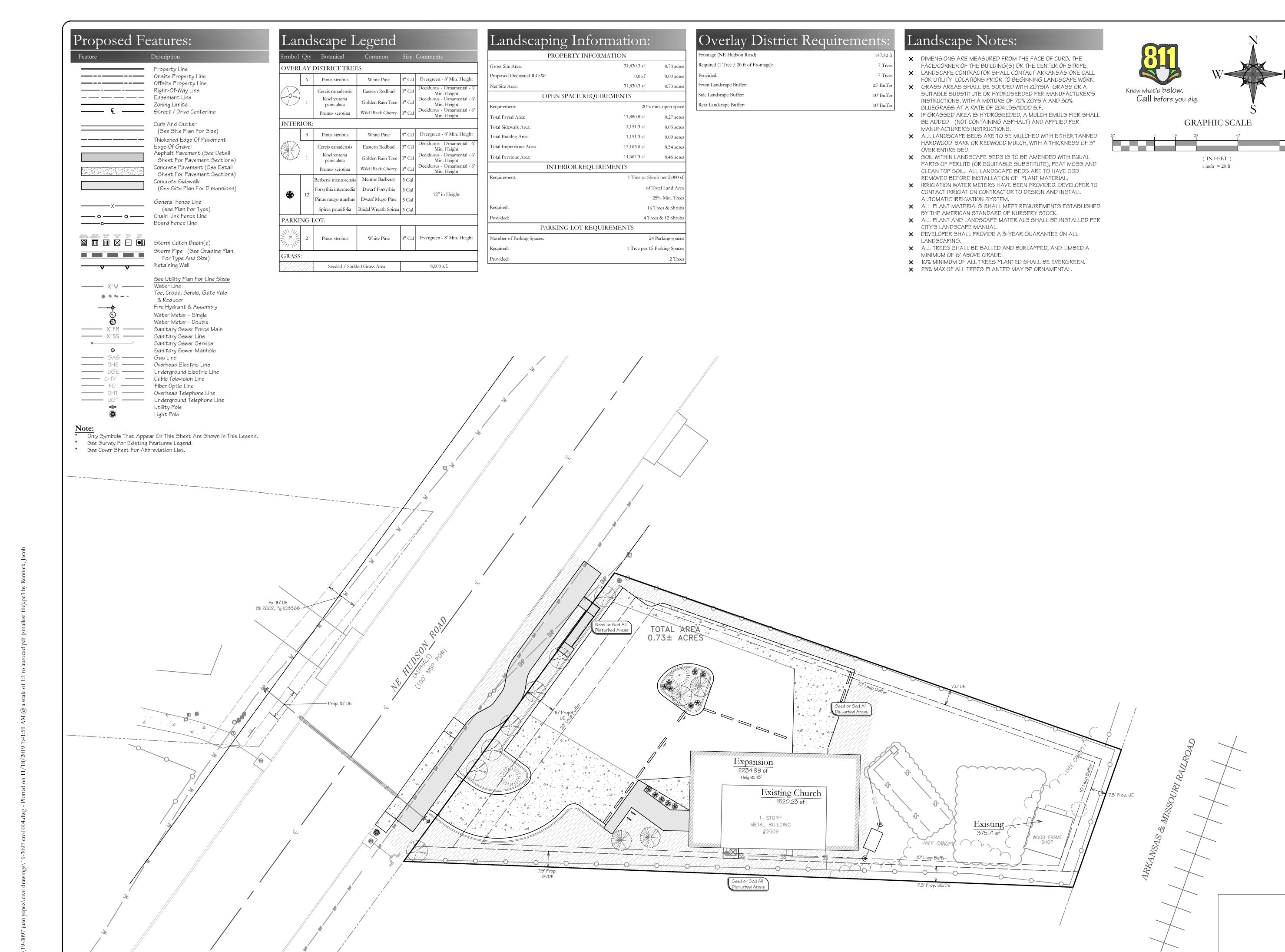
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Stave Mill Road VICINITY MAP

CONSTRUCTION BLEW&ASSOCIATES, PA CIVIL ENGINEERS & LAND SURVEYOR

3825 NORTH SHILOH DRIVE FAYETTEVILLE, ARKANSAS 72703 OFFICE: 479.443.4506 FAX: 479.582.1883 www.BLEWINC.com

2019-11-15 19-3097 Civil 004.dwg

City Stamp



ROGERS WATER UTILITIES

"SERVING ROGERS - PROTECTING THE ENVIRONMENT"

August 7, 2019

Mr. Jorge Du Quesne, PE Blew & Associates, PA 3825 N. Shiloh Drive Fayetteville, AR 72703

Conditional Approval of Civil Plans Re:

Iglesia Renacer en Cristo Expansion 2019

Dear Mr. Du Quesne:

We have reviewed the plans that were received for the referenced project and are approving them with the following conditions:

- 1. Provide the executed utility permit from the Highway Department for the street crossing.
- 2. As previously requested, show the existing improvements on the west side of Hudson Road. There is an existing drive and large sign near the tap location. Any other utilities in the area will need to be shown. Also, show the right-of-way line and the existing utility easement (book 2002, page 108568).
- 3. There appears to be a gap between the existing easement and right-of-way near the tap location (see the attached easement). RWU requires a Utility Easement for the off-site portion of the proposed water main that is not within the easement or right-of-way. Submit a formal easement document to dedicate the easement for review before executing the required easement. (Submit a copy of the property deed for each parent tract with easement submittal.)
- 4. Provide a 15' Utility Easement along the ARDOT right-of-way. The plan currently shows 7.5 feet.
- 5. Large trees (over 20' tall at maturity in City Code 14-46-paragraph G) must be located at least 10 feet from any water or sanitary sewer main. There is a proposed tree shown very close to the fire hydrant that will need to be moved if it falls within the restriction listed above.
- 6. Show the beginning and ending stations with elevations for the jack & bore encasement pipe.
- 7. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground

Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.

- B. One copy of the revised plans for review.
- C. Written approval from the Arkansas Department of Health.
- D. A signed copy of the enclosed Special Contract for Facilities Extensions. Please note and bring to the attention of your client that access fees and impact fees are defined in the contract and must be delivered to the Utility before water service will be established.
- E. A copy of the executed contract between the developer or general contractor and the utility contractor.
- F. Performance and payment bonds executed by the utility contractor.
- G. Three copies of the approved plans submitted at the pre-construction meeting.

Approval of this project is void if construction is not started within one year of the date affixed hereto.

Sincerely,

Brian Sartain, PE

Utility Engineer

BS:DG

Attachment(s): Special Contract for Facilities Extension

BLEW & ASSOCIATES, PA

CIVIL ENGINEERS & LAND SURVEYORS

July 31, 2019

City of Rogers Community Development 301 W Chestnut Rogers, AR 72756

SUBJECT:

Iglesia Renacer en Cristo Expansion LSDP (Waiver Requests)

Blew Project #19-3097

CityView Project #PL201900409

To Whom It May Concern:

On behalf of our client, Juan Yepez, we are requesting the following waivers:

- Waiver from 25' landscape buffer along street frontage. Adherence to this requirement would prevent the
 construction of parking facilities. Trees will be planted between the property line and pavement, but the
 rest of the buffer cannot be landscaped.
- Waiver from street tree requirements. ARDOT does not allow trees to be planted within their right-of-way. E-mail correspondence with the ARDOT District 9 Permit Officer has been attached to this letter.
- Waiver from 2' minimum cover requirement for storm sewers. The property owner is adding an expansion to the existing building and wants to utilize as much of the existing on-site pavement as possible. Doing so requires that all new pavement hold to the grades and elevations of the existing pavement; this makes it impossible to obtain 2' of cover over the storm sewer. We are proposing to use elliptical pipe to try to maximize the cover that can be obtained.

Sincerely,

gr C.R.

Jacob Rennick, El

Blew & Associates, PA